S.B. Cr.Misc. II Bail Appln No.311/2007
IN
S.B. Criminal Revision Petition No.688/2007

Date of order : 26.10.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Sandeep Mehta for the petitioner-applicant.
Mr. Ashok Upadhyay, Public Prosecutor.

This is second bail application seeking suspension of sentence. The first application seeking suspension of sentence came to be dismissed on 16.08.2007 as learned counsel for the petitioner therein submitted that the petitioners have not surrendered after recording conviction and sentence and, therefore, he sought to withdraw the bail application with liberty to file a fresh application after surrender of the accused petitioners.

Learned counsel for the petitioner submits that some of the accused petitioners have surrendered and by order dated 24.08.2007, the accused petitioners therein namely Panna Singh, Uda, Jagga @ Jagdish, Dungar Singh, Babbar Singh, Raju and Raju s/o Chhatar Singh have been granted bail and their sentence has been suspended. He submits that the case of the present accused petitioner is similar to that of the petitioners.

Now, the petitioner has surrendered and the sentence awarded to the similarly situated accused petitioners has been suspended by order dated 24.08.2007, therefore, I deem it just and proper to suspend the substantive sentence of imprisonment awarded to the accused petitioner-applicant. Accordingly, the second bail application filed under Section 397/401 Cr.P.C. is allowed and it is ordered that the substantive sentence of imprisonment passed by the trial court and affirmed by the learned Additional Sessions Judge (Fast Track), Rajsamand vide judgment dated 18.07.2007 in Criminal Appeal NO.17/07 (56/06) against applicant Khuman s/o Dhula Ji shall remain suspended till final disposal of the aforesaid revision provided he executes a personal bond in the sum of Rs.20,000/- with two sureties of Rs.10,000/- each to the satisfaction of the learned trial Judge for his appearance before this Court on 27.11.2007 and whenever ordered to do so with the incorporation in the bond that as and when he will shift his place of residence, he will intimate to this Court and his lawyer about his new place of residence.

(H.R.PANWAR),J.

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